

THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition (M/S) No. 1523 of 2006

Gurudwara Satsang Sabha (Regd.) Jadugar Road, Civil Lines,
Roorkee, Pargana & Tehsil Roorkee District Haridwar through its
Secretary, Devendra Singh S/O Dula Singh, R/O 44 Civil Lines,
Jadugar Road, Roorkee, District Haridwar.

.....Petitioner.

Vs.

1. Civil Judge (Senior Division), Roorkee, District Haridwar.
2. Sarvar S/O Mohd. Taki, Shop Keeper, Tailoring Shop No. 399/8, Jadugar Road, Civil Lines Roorkee, Pargana & Tehsil Roorkee, District Haridwar.

.....Respondents.

Sri Navneet Kaushik, learned counsel for the petitioner.

Sri Nand Prasad, learned Standing Counsel for the respondent no.1-State.

Date September 29, 2006

Hon'ble B.S. Verma, J.

Heard learned counsel and perused the material on record.

The only prayer made in the present writ petition is that the respondent no.1 be directed to decide S.C.C. Suit No.9 of 2002 Gurudwara Satsang Sabha Vs. Sarvar expeditiously with the allegation that the petitioner filed Small Cause Court Suit registered as Case No.9 of 2002 against the respondent no.2 for a decree of eviction. The respondent no.2 has filed written statement in the suit as late as 1-8-2005. Accordingly to the petitioner, the respondent no.2 has been adopting delay tactics to prolong the litigation so as to cause irreparable loss to the petitioner. The petitioner has annexed the order-sheet of the said SCC Suit No.9 of 2002.

In the facts and circumstances of the case, it is a fit case in which direction for expeditious disposal may be given to the Judge, Small Cause concerned.

Accordingly, the respondent no.1 is directed to decide the S.C.C. Suit No.9 of 2002, Gurudwara Satsang Sabha V. Sarvar, pending disposal in that court expeditiously in accordance with law preferably within a period of nine months from the date of production of certified copy of this order. Both the parties shall co-operate in the expeditious disposal of suit.

With the above direction, the writ petition is disposed of finally.

(B.S. Verma, J.)

29-09-2006
RCP